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Appl. No. 10/733,649
Amdt. Dated
Reply to Final Office action of June 8, 2007

DRAFT 10/9/2007 1:34 PM**Amendment to the Claims**

1. (Previously withdrawn) In a disposable absorbent garment, an elastic composite comprising:

a base layer;

a top layer; and

an elastic construction disposed therebetween, said elastic construction including a plurality of spaced apart elastic elements aligned in generally parallel relation;

wherein said top and base layers define a first side edge and a second side edge and a longitudinal centerline extending between said side edges, said elastic construction being disposed between said top and base layers and extending between said side edges in a direction generally parallel with or corresponding to said longitudinal centerline; and

wherein each said elastic element is oriented along a direction intersecting said longitudinal centerline and said side edges.

2. (Previously withdrawn) The elastic composite of claim of 1, wherein said elastic composite includes

an elasticized region spaced inwardly from said side edges, said elastic construction being disposed in said elasticized region,

a first non-elasticized region disposed between said first side edge and said elasticized region, and

a second non-elasticized region disposed between said second side edge and said elasticized region.

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3. (Previously withdrawn) The elastic composite of claim 2, wherein said elastic elements are elastic strands.

4. (Previously withdrawn) The elastic composite of claim 2, wherein said first and second non-elasticized regions provide fastening regions that are generally flat relative to said elastic region.

5. (Previously withdrawn) The elastic composite of claim 4, wherein at least one of said first and second non-elasticized regions is equipped with a fastening element.

6. (Previously withdrawn) The elastic composite of claim 5, wherein said fastening element is selected from the group of fastening elements consisting of: adhesive elements and hook and landing elements.

7. (Previously withdrawn) The elastic composite of claim 2, wherein said elastic elements are attached to at least one of said top and base layers such that said elasticized region is shirred when said elastic composite is disposed in a relaxed, un-stretched state.

8. (Previously withdrawn) The elastic composite of claim 2, further comprising:

a second elasticized region disposed between said side edges, said second elasticized region including a second elastic construction having a plurality of spaced apart elastic elements; and

a third non-elasticized region disposed between said first and second elasticized regions.

9. (Previously withdrawn) The elastic composite of claim 1, wherein said plurality of elastic elements are generally equally spaced apart from one another.

10. (Previously withdrawn) The elastic composite of claim 1, wherein said elastic elements are spaced inwardly from said side edges and aligned in generally perpendicular relation with a longitudinal centerline of said elastic composite.

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11. (Previously withdrawn) The elastic composite of claim 1, wherein said side edges are elongated and extend longitudinally in generally parallel relation with a longitudinal centerline of said elastic composite, said elastic elements being aligned in generally parallel relation with a cross machine direction of said composite.

12. (Previously withdrawn) The elastic composite of claim 1, wherein said elastic construction is positioned generally centrally between said side edges.

13. (Canceled)

14. (Canceled)

15-27 (Canceled)

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28. (Previously presented) A disposable absorbent garment, comprising:

a topsheet;

a backsheet;

an absorbent core disposed between said topsheet and said backsheet, wherein a longitudinal center line extends through said topsheet, backsheet, and absorbent core, and wherein said topsheet and said backsheet define a front end edge and a back end edge through which said longitudinal centerline extends and a pair of side margins disposed on opposite sides of said core and extending between said end edges, wherein said topsheet, backsheet, and absorbent core, at least partly, form a central body; and

a pair of waist fastening portions disposed on opposite sides of said longitudinal centerline and in proximity with one of said side margins and attached to said central body in proximity to said side margins, each said waist fastening portion having a first side edge, a second side edge, and a fastening portion centerline extending between said side edges that corresponds with a machine direction of said fastening portion, each said fastening portion including a base layer, a top layer, and an elastic construction disposed between said top and base layers and spaced inwardly from each said side edge, said elastic construction including a plurality of spaced apart and disconnected elastic elements distributed in a direction between said side edges and in generally perpendicular relation with said fastening portion centerline wherein each fastening portion further includes,

an elasticized region positioned between said first and second side edges, said elastic construction being disposed in said elasticized region,

a first non-elasticized region positioned between said first side edge and said elasticized region, and

a second non-elasticized region positioned between said second side edge and said elasticized region, and

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wherein said elastic elements are spaced from said first side edge and from said central body to position the first elasticized region between said elasticized region and said central body.

29. (Previously presented) The disposable absorbent garment of claim 28, wherein said elasticized region is positioned generally centrally between said first and second side edges such that said fastening position centerline extends therethrough.

30. (Previously presented) The disposable absorbent garment of claim 28, wherein said plurality of elastic elements are generally equally spaced apart from one another.

31. (Previously presented) The disposable absorbent garment of claim 28, wherein said plurality of elastic elements are elastic strands disposed in mutual generally parallel relation.

32. (Previously presented) The disposable absorbent garment of claim 28, wherein said elastic elements are adhered to at least one of said top and base layers such that said elasticized region is shirred when said elastic composite band is disposed in a relaxed, unstretched state, and wherein said first and second non-elasticized regions provide fastening regions that are generally flat relative to said elasticized region.

33. (Previously presented) The disposable absorbent garment of claim 32, wherein, for each fastening waist portion, said first and second side edges are elongated and one of said first and side edges is attached to said central body along one of said side margins to provide a side panel therealong.

34 - 48 (Previously withdrawn)

49. (Canceled) ~~The disposable absorbent garment of claim 13, wherein at least a plurality of successive elastic elements in said arrangement are a discrete severed section of one elasticized strand.~~

50. (Canceled) ~~The disposable absorbent garment of claim 13, wherein said each elastic element is spaced from other said elastic elements in a direction parallel with said composite centerline and positioned relative to said composite centerline such that each said~~

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~~elastic element imparts a substantially lateral elasticity to said substantially continuous elasticized region.~~

51. (Canceled) ~~The disposable absorbent garment of claim 13, wherein said elastic elements are distributed in an arrangement having a longitudinal direction extending between said side edges from a first elastic element in the arrangement to a second elastic element in the arrangement, wherein a plurality of elastic elements are positioned between the first and second elastic elements to form the substantially continuous elasticized region through the longitudinal centerline of said elastic composite band.~~

52. (Canceled) ~~The disposable absorbent garment of claim 13, wherein said first non-elasticized region consists of said top layer and said base layer.~~

53. (Previously presented) The disposable absorbent garment of claim 28, wherein each said elastic element is spaced from other said elastic elements in a direction parallel with said centerline and directed laterally toward said side edges such that said elastic elements are configured to impart tension restricted to the lateral direction relative to the centerline.

54. (Canceled) ~~The disposable absorbent garment of claim 28, wherein at least a plurality of successive elastic elements in said arrangement are a discrete severed section of one elasticized strand.~~

55. (Previously presented) The disposable absorbent garment of claim 28, wherein said non-elasticized region consists of said top layer and said base layer.

56. (Previously presented) The disposable absorbent garment of claim 28, wherein said elasticized region extends substantially continuously and longitudinally between said first and second side edges.

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57. (Currently amended) A disposable absorbent garment comprising:

a topsheet;

a backsheet;

an absorbent core disposed between said topsheet and said backsheet such that a longitudinal centerline of said garment extends through said topsheet, said backsheet, and said absorbent core, wherein said topsheet, said backsheet and said absorbent core provide a central body of said disposable absorbent garment; and

an elastic composite band attached to said central body, said elastic composite band having a first side edge, a second side edge, and a composite centerline extending in a direction between, and in generally parallel relation with, said side edges, said elastic composite band including a base layer, a top layer, and an elastic construction disposed between said top and base layers and spaced inwardly from each said side edge; and

wherein said elastic construction includes a plurality of spaced apart elastic elements distributed in a direction extending between said side edges, each said elastic element being aligned in generally perpendicular relation with said composite centerline and spaced inwardly from said first side edge to form a non-elasticized region between said first side edge and said elastic elements.[[; and]]

~~wherein at least a plurality of successive elastic elements in said arrangement is formed from one elastic strand, each elastic element being a discrete severed section of said elastic strand.~~

58. (Currently amended) The disposable absorbent garment of claim 57, wherein each said elastic element is spaced longitudinally from other said elastic elements and directed laterally such that each said elastic elements are configured to impart tension [[restricted to]] in the lateral direction relative to the composite centerline.

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59. (Previously presented) The disposable absorbent garment of claim 58, wherein said elastic elements are positioned adjacent one another to form a substantially continuous elasticized region extending along said composite centerline.

60. (Previously presented) The disposable absorbent garment of claim 57, wherein each said top layer and base layer includes a pair of side edges, and wherein said elastic elements are spaced inwardly from said side edges of said top and base layers to provide a non-elasticized region between said elasticized region and said side edges.

61. (Previously presented) The disposable absorbent garment of claim 60, wherein said elastic elements are spaced from said side edges to provide a non-elasticized region between said central body and said elasticized region.

62. (Canceled)

63-65 (Canceled)